



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MILLER et al

Atty. Ref.: 540-539; Confirmation No. 5501

Appl. No. 10/518,031

TC/A.U. 2874

Filed: December 14, 2004

Examiner: E. Kim

For: OPTICAL IMAGING SYSTEM WITH OPTICAL DELAY LINES

* * * * *

July 25, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is responsive to the Election Requirement mailed June 19, 2006 (Paper No. 20060612), the date of response to which is August 19, 2006 in view of the attached one month extension of time petition and petition fee.

Applicants elect with traverse the species shown in Figure 6 and claims 1-3, 6, 7, 9-12 and 16 are identified as readable thereon. The conclusions, upon which the restriction requirement is predicated are erroneous.

The Examiner's first conclusion that Figure 1 comprises one species of the presently claimed invention is incorrect. As noted in applicant's specification page 3 "Figure 1 is a diagram of a **state of the art** electromagnetic signal processing system." (emphasis added). Thus, Figure 1 is "prior art" and not the claimed invention. Confirmation that the Examiner

confirms that Figure 1 is identified in the specification as "prior art" and is not covered by the claims in the above application is respectfully requested.

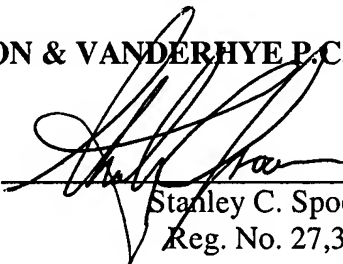
The Examiner's second conclusion that there are no generic claims present is also believed to be erroneous. Both Claims 1 and 2 cover the alleged different species of Figures 2-9 and therefore these are generic. Confirmation that the Examiner confirms that claims 1 & 2 are generic is respectfully requested.

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that claims 1-17 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact applicant's undersigned representative.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: _____


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 540-539
C# M#

IAP15 Rec'd PCT/PTO 25 JUN 2006

MILLER et al

Serial No. 10/518,031

Filed: December 14, 2004

Title: OPTICAL IMAGING SYSTEM WITH OPTICAL DELAY LINES



UTC/A.U.

2874

Examiner: E. Kim

Date: July 25, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 17 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 2 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$ 120.00

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

TOTAL FEE ENCLOSED \$ 120.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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By Atty: Stanley C. Spooner, Reg. No. 27,383

Signature: 

07/31/2006 GFREY1 00000029 10518031

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120.00 OP